

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

VIVO CAPITAL SURPLUS FUND VIII,
L.P.,

Plaintiff,

v.

ORBIMED ADVISORS LLC, *et al.*,

Defendants.

Civil Action No.: 25-CV-3051 (JPO)

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the annexed Declaration of Stephen P. Blake in Support of Motion for a Preliminary Injunction, dated April 22, 2025, and the exhibits attached thereto, the Memorandum of Law in Support of Motion for a Preliminary Injunction, and all of the prior pleadings filed in this action, Plaintiff Vivo Capital Surplus Fund VIII, L.P. (“Vivo”) respectfully moves the Court, before the Honorable J. Paul Oetken, at the United States District Court for the Southern District of New York, 40 Foley Square, Courtroom 706, New York, New York, 10007, at a date and time to be set by the Court, for a preliminary injunction pursuant to Rule 65(a) of the Federal Rules of Civil Procedure, to enjoin Defendants OrbiMed Advisors LLC and OrbiMed Capital LLC from making further misleading statements in violation of Section 13(d) of the Exchange Act and to require Defendants to issue corrective disclosures rectifying their material violations of Section 13(d) of the Exchange Act.

Dated: April 22, 2025

SIMPSON THACHER & BARTLETT LLP

/s/ Stephen P. Blake

Stephen P. Blake

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*Attorneys for Plaintiff Vivo Capital Surplus Fund
VIII, L.P.*

CERTIFICATE OF SERVICE

I hereby certify that, on April 22, 2025, a true copy of the above document was served on Defendants via first class mail at the addresses below, and will be filed through the ECF system.

OrbiMed Advisors LLC

601 Lexington Avenue, 54th Floor
New York, NY 10022

OrbiMed Capital LLC

601 Lexington Avenue, 54th Floor
New York, NY 10022

Dated: April 22, 2025

/s/ Stephen P. Blake
Stephen P. Blake